

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*<sup>1</sup>  
Debtors.

Case No. 23-10253 (KBO)

(Jointly Administered)

Chapter 7

Hearing Date: December 18, 2024 at 9:30 am (ET)

Objection Deadline: December 11, 2024 at 4:00 pm (ET)

**THIRD INTERIM APPLICATION OF MILLER COFFEY TATE LLP  
FOR COMPENSATION AND FOR REIMBURSEMENT OF EXPENSES  
AS ACCOUNTANTS AND BANKRUPTCY CONSULTANTS TO THE TRUSTEE  
FOR THE PERIOD FROM OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024**

Name of Applicant:	Miller Coffey Tate LLP
Authorized to Provide Professional Services to:	Trustee
Date of Retention:	Retention Application Filed: March 16, 2023 Seeking employment effective as of February 23, 2023 Order entered April 11, 2023
Period for which compensation and Reimbursement is sought:	October 1, 2023 through September 30, 2024
Amount of Compensation sought as actual, reasonable and necessary:	\$1,083,952.00
Amount of Expense Reimbursement sought as actual, reasonable and necessary:	\$7,223.21
This is an <u>  X  </u> Interim <u>          </u> Final Application	

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<sup>1</sup> The Debtors are: Akorn Holding Company LLC, 23-10253, Akorn Intermediate Company LLC, 23-10254 and Akorn Operating Company LLC 23-10255.

**ATTACHMENT**  
**LOCAL FORM 102/RULE 2016-2**  
**FEE SUMMARY**  
**OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024**

<b>Name of Professional Person</b>	<b>Certification Date</b>	<b>Position with the Applicant and Number of Years in that Position</b>	<b>Hourly Billing Rate 2023</b>	<b>Hourly Billing Rate 2024</b>	<b>Total Billed Hours</b>	<b>Total Compensation</b>
Matthew R. Tomlin, CPA	1994	Partner (2006)	\$595	\$620	485.20	\$ 298,126.50
William A. Homony, CIRA	2010	Principal (2016)	\$555	\$585	333.30	193,372.50
Jack J. Reynolds	N/A	Manager (2022)	\$370	\$405	676.10	266,425.00
Vincent L. Capitolo, CPA	2022	Senior Accountant (2023)	\$325	\$350	337.40	116,070.00
Victor J. Stott	N/A	Staff Accountant (2016)	\$260	\$285	150.60	41,596.00
Sara J. Durika	N/A	Staff Accountant (2024)	N/A	\$275	251.70	69,217.50
Anthony F. Archher	N/A	Staff Accountant (2023)	\$240	\$265	386.30	99,144.50
	<b>TOTAL</b>				<b>2,620.60</b>	<b>\$ 1,083,952.00</b>

**Blended rate \$ 413.63**

**COMPENSATION BY PROJECT CATEGORY**

<b>Project Category</b>	<b>Total Hours</b>	<b>Total Fees</b>
Case Administration	133.00	\$ 76,038.50
Avoidance Action	176.10	52,303.00
Tax Issues	681.60	257,924.00
Asset Preservation and Recovery	982.20	427,611.50
Claim Issues	593.60	245,986.50
Fee Application	54.10	24,088.50
<b>Total</b>	<b>2,620.60</b>	<b>\$ 1,083,952.00</b>

**EXPENSE SUMMARY**

<b>Expense Category</b>	<b>Service Provider</b>	<b>Total Expenses</b>
Fax	MCT	\$ 36.00
Federal Express	MCT	103.41
Mileage	MCT	40.20
Pacer	MCT	1,238.90
Parking	MCT	6.00
Photocopies	MCT	1,934.40
Postage	MCT	1,633.00
Tax Filing Fees	MCT	2,231.30
	<b>Total</b>	<b>\$ 7,223.21</b>

**PRIOR FEE APPLICATIONS**

		<b>REQUESTED</b>		<b>APPROVED</b>	
<b>Date Filed</b>	<b>Period Covered</b>	<b>Fees</b>	<b>Expenses</b>	<b>Fees</b>	<b>Expenses</b>
7/26/2023	2/24/2023 through 5/31/2023	\$ 721,925.50	\$ 15,171.18	\$ 721,925.50	\$ 15,171.18
11/29/2023	6/1/2023 through 9/30/2023	\$ 676,434.00	\$ 24,828.19	\$ 676,434.00	\$ 24,828.19
11/27/2024	10/1/2023 through 3/31/2024	\$1,083,952.00	\$ 7,223.21	Pending	Pending

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FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*<sup>1</sup>  
Debtors.

Case No. 23-10253 (KBO)

(Jointly Administered)

Chapter 7

Hearing Date: December 18, 2024 at 9:30 am (ET)

Objection Deadline: December 11, 2024 at 4:00 pm (ET)

**THIRD INTERIM APPLICATION OF MILLER COFFEY TATE LLP  
AS ACCOUNTANTS AND BANKRUPTCY CONSULTANTS TO THE TRUSTEE  
FOR COMPENSATION AND FOR REIMBURSEMENT OF EXPENSES**

Pursuant to sections 330 and 331 of Title 11 of the United States Code (the "Bankruptcy Code"), and Rule 2016 of the Federal Rules of Bankruptcy Procedure, Miller Coffey Tate LLP ("MCT") hereby applies (the "Application") for an award of reasonable compensation in the above-captioned chapter 7 cases of Akon Holding Company, LLC, et. al. (the "Debtors"), for professional services rendered as Accountants and Bankruptcy Consultants to the Trustee in the amount of \$1,083,952.00 together with reimbursement for actual and necessary expenses incurred in the amount of \$7,223.21 for the period commencing from October 1, 2023 through and including September 30, 2024 (the "Application Period"). In support of the Application, MCT respectfully represents as follows:

**Background**

1. On February 23, 2023, Akorn Holding Company LLC, Akorn Intermediate Company LLC and Akorn Operating Company LLC (collectively the "Debtors") filed voluntary petitions for relief under chapter 7 of Title 11 of the Bankruptcy Code.

2. On or about February 24, 2023, the Office of the United States Trustee appointed George L. Miller as Trustee (the "Trustee") of the Debtors.

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<sup>1</sup> The Debtors are: Akorn Holding Company LLC, 23-10253, Akorn Intermediate Company LLC, 23-10254 and Akorn Operating Company LLC 23-10255.

3. An Application of the Trustee for an Order Authorizing the Retention and Employment of Miller Coffey Tate LLP as Accountants and Bankruptcy Consultants for the Trustee effective February 23, 2023 (the “Retention Application”) was filed on or about March 16, 2023 and the Order was entered on April 11, 2023. The Retention Application requests that MCT be compensated on an hourly basis and be reimbursed for actual and necessary out-of-pocket expenses it incurred. At all relevant times, MCT has been a disinterested person as that term is defined in Section 101(14) of the Bankruptcy Code (the “Code”) and has not represented nor held any interest adverse to the interest of the Debtors or Debtors’ estates.

4. On March 17, 2023, the Trustee filed a motion seeking to have the Debtors’ bankruptcy cases jointly administered. On March 20, 2023 the Court entered an Order directing joint administration and procedural consolidation.

#### **Compensation Paid and its Source**

5. All services for which MCT requests Compensation were performed for or on behalf of the Trustee.

#### **Relief Requested**

6. This Application is the Third Interim fee application to be filed by MCT in these cases. In connection with the professional services described below, by this Application, MCT seeks compensation in the amount of \$1,083,952.00 and expense reimbursement of \$7,223.21.

7. Exhibits A-1 through A-8 reflect the services performed as follows:

A-1 Summary of Time Charges by Individual - this summary reflects the aggregate time by individual.

A-2 Summary of Time Charges by Category - this summary reflects the charges for services rendered by category.

A-3 through A-8 reflects the explanation individual with the category as follows:  
and detailed time charges by category and by

A-3 Case Administration

A-4 Avoidance Actions

A-5 Tax Issues

A-6 Asset Preservation and Recovery

A-7 Claim Issues

A-8 Fee Application

**Summary of Services Rendered**

8. Applicant has performed numerous services for the Trustee, which are fully described in Exhibits A-3 through A-8 which are attached hereto and incorporated herein by reference.

Staffing provided by the Applicant along with their responsibilities for the engagement is as follows:

Matthew R. Tomlin, CPA

William A Homony, CIRA

Jack Reynolds

Vincent L. Capitolo, CPA

Victor J. Stott

Sara J. Durika

Anthony F. Archer

In addition, since each Applicant's staff person is responsible for separate and distinct assignments, it is necessary to have organization meetings between the staff persons as well as with the Trustee's attorneys and other professionals in order to properly administer the estates.

9. For the Application Period, MCT seeks allowance of compensation in the amount \$1,083,952.00 in connection with the professional services described above.

10. During the Application Period, MCT incurred or disbursed the actual and necessary costs and expenses related to this case in the amount of \$7,223.21 as identified on Exhibit B.

11. Pursuant to Local Rule No. 2016-2 of this Court, MCT represents as follows with regard to its charges for actual and necessary costs and expenses during the Application Period:

a) Copy charges are \$.10 per page, which charge is reasonable and customary in the accounting industry representing costs of copy materials, acquisition maintenance, storage and operation of copy machines, together with a margin for recovery of lost expenditures.

12. MCT has reviewed the requirements of Local Rule 2016-2 of the Local Rules for the United States Bankruptcy Court for the District of Delaware, and this Application complies with Local Rule 2016-2.

**WHEREFORE**, MCT respectfully requests that the Court enter an order allowing compensation in the sum of \$1,083,952.00 for professional services rendered, and the sum of \$7,223.21 for reimbursement of actual and necessary costs and expenses incurred by it in these cases from October 1, 2023 through September 30, 2024 and that the Trustee be authorized to pay MCT all outstanding amounts.

Dated: November 27, 2024

MILLER COFFEY TATE LLP  
/s/ Matthew R. Tomlin  
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